

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR12-183-JLR
Plaintiff,)
)
v.)
) DETENTION ORDER
RICARDO MARTINEZ-PEREZ,)
)
Defendant.)
_____)

Offense charged: Felon in Possession of a Firearm (three counts)

Date of Detention Hearing: July 13, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant's criminal record includes multiple failures to appear for court

01 hearings with resulting bench warrant activity. An active warrant has been issued by King
02 County for violation of probation for failure to complete drug treatment. Defendant reports
03 regular use of methamphetamine, marijuana, and cocaine.

04 2. Defendant admits previous gang membership although the AUSA proffers
05 evidence of active gang membership. The current charges involve allegations that defendant
06 attempted to sell firearms to an undercover agent. His criminal history includes a conviction
07 for similar charges in 2010.

08 3. At the detention hearing, the AUSA offered testimony to show defendant's
09 efforts to elude arrest on several occasions when agents went to his house to arrest him.

10 4. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the
12 danger to other persons or the community.

13 It is therefore ORDERED:

14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;

17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services
03 Officer.

04 DATED this 16th day of July, 2012.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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